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Beborah A. Peacock, Reg. No. 31,649

May 4, 2001 (Date)

: Art Unit: 1714

: Examiner: Unknown

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Wayne Harlan

09/778.317

Serial No.: Filed:

February 5, 2001

For:

**ASPHALT EMULSION** 

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Washington, D.C. 20231

SIR:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed within three months of the filing date of the application and prior to the mailing date of a first Office action. Therefore, no fee or certification is required. 37 C.F.R. § 1.97(b).

Respectfully submitted,

Dated: May 4, 2001

Deborah A. Peacock, Reg. No. 31,649

Direct line: (505) 998-1501

Enclosures: PTO Forms 1449;

Copy of References

Peacock, Myers & Adams, P.C. Attorneys for Applicant P.O. Box 26927 Albuquerque, NM 87125-6927 (505) 998-1500 FAX (505) 243-2542 Customer No. 005179

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THE CREET OF THE PARTY OF THE P Under the Paperwork Reduction Act of 1995 to a collection of information unless it contains a valid OMB control number. Substitute for form 1449A/PTO COMPLETE IF KNOWN 09/778,317 Application Number INFORMATION DISCLOSURE STATEMENT BY APPLICANT February 5, 2001 Filing Date First Named Inventor **HARLAN** (use as many sheets as necessary) Group Art Unit 1714 **Examiner Name** Sheet 1 of 8 Attorney Docket Number 30882-CIP **U.S. PATENT DOCUMENTS** Cite Examiner U.S. Patent Document Name of Patentee or Date of Pages, Columns, Lines, Initials No.1 Applicant of Cited Publication Where Relevant Kind Code Document of Cited Passages or Relevant Number (if known) Document Figures Appear 3,423,221 M.J. Borgfeldt 01/21/1969 3,493,408 J.J. Drukker 02/03/1970 3,941,904 G.L.K. Hog, et al. 03/02/1976 3,868,263 K.E. McConnaughay 02/25/1975 3,959,062 G.L.K. Hoh, et al. 05/25/1976 3,977,983 T. Tsuneda 08/31/1976 4,040,970 T. Tsuneda 08/09/1977 4,175,964 T/Icjoda. et a;/ 11/27/1979 FOREIGN PATENT DOCUMENTS **Examiner Initials** Cite Foreign Patent Document Name of Patentee of Date of Pages, Columns, Lines No. Kind Applicant of Cited Publication Where Relevant Code 5 Number 4 Office 3 Document of Cited Passages or Relevant Document Figures Appear T (if known) Examiner Date Considered Signature

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<sup>1.</sup> Unique citation designation number. 2. See attached Kinds of U.S. Patent Documents. 3. Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). 4. For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6. Applicant is to place a check mark here if English language Translation is attached.

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<sup>4.</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6. Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT Filing Date February 5, 2001 First Named Inventor HARLAN (use as many sheets as necessary) Group Art Unit 1714 Examiner Name

Sheet of 8 Attorney Docket Number 30882-CIP

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A TOWN Under the Paperwork Reduction Act of 1995 no persons ar lection of information unless it contains a valid OMB control number Substitute for form 1449A/PTO COMPLETE IF KNOWN INFORMATION DISCLOSURE Application Number 09/778,317 STATEMENT BY APPLICANT Filing Date February 5, 2001 First Named Inventor **HARLAN** (use as many sheets as necessary) Group Art Unit 1714 **Examiner Name** Sheet 6 of 8 Attorney Docket Number 30882-CIP **U.S. PATENT DOCUMENTS** Cite Examiner U.S. Patent Document Name of Patentee or Date of Pages, Columns, Lines, Initials No. Applicant of Cited Publication Where Relevant Kind Code Document of Cited Passages or Relevant Number (if known) Document Figures Appear 5,811,477 M. V. Burris, et al. 09/22/1998 5,877,244 J.W. Hoover, et al. 03/02/1999 5,973,037 J.R. Fields 10/26/1999 5,902,389 T.C. Jordan 05/11/1999 5,973,037 J.R. Fields 10/26/1999 6,070,634 P.H. Sandstrom 06/06/2000 6,077,888 P. Schilling 06/20/2000 6,107,374 J.C. Stevens, et al. 08/22/2000 FOREIGN PATENT DOCUMENTS **Examiner Initials** Cite Foreign Patent Document Name of Patentee of Date of Pages, Columns, Lines Applicant of Cited No. Kind Publication Where Relevant Code 5 Office <sup>3</sup> Number 4 Document of Cited Passages or Relevant Document Figures Appear T (if known)

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				Group Art Unit	1814	
				Examiner Name		
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the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
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